

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWELL HENRY II	:	CIVIL ACTION
	:	
v.	:	NO. 22-4614
	:	
UNITED LUTHERAN SEMINARY, DR.	:	
R. GUY ERWIN	:	

ORDER

AND NOW, this 5th day of January 2023, upon reviewing Waivers of service (ECF Doc. Nos. 9, 10) representing Defendants waived service on December 7, 2022 requiring an answer no later than February 7, 2023 but aware Defendants had accepted service (ECF Doc. Nos. 3, 4) on November 30, 2022 as confirmed by the sworn statement of the process servers, and mindful a Defendant may only timely return a Waiver and defer responding to the Complaint “before being served with process” under Federal Rule of Civil Procedure 4(d)(3), it is **ORDERED**:

1. We **STRIKE** the Waivers of service (ECF Doc. Nos. 9, 10) as ineffectual; and,
2. We find good cause to grant Defendants, having been served on November 30, 2022 and now in default, leave to respond to the Complaint on or before **January 17, 2023**.



KEARNEY, J.